

### **REMARKS/ARGUMENTS**

In view of the claim amendments herein and the following remarks, reexamination and reconsideration of this application, withdrawal of the rejections, and formal notification of the allowability of all claims as presented are earnestly solicited. As detailed in the Office Action mailed June 26, 2008, Claims 1-14 are pending, wherein Claims 1-14 have been rejected. In response to the Office Action, Claim 1 has been amended to clarify the subject matter being claimed. The amendment finds support throughout the Specification and Drawings, and no new matter has been added. Accordingly, it is believed that the claims now define patentable subject matter over the art cited in the Office Action, and a notice to such is requested at the Examiner's earliest convenience.

#### **Examiner Interview**

The Applicant wishes to thank the Examiner for the telephone interview conducted on August 21, 2008, with the applicant's representative. During the interview, the applicant's representative discussed the patentability of claim 1 with the Examiner. In particular, the Matsumoto reference was discussed in regard to Claim 1, and also the relevance of Matsumoto in regard to the present application.

In order to further clarify the term "grey lock mark" and the manner in which the grey lock mark identifies the state of the last transaction of the electronic deposit (purse), as suggested by the Examiner, the term "grey lock mark" has been further defined in amended Claim 1.

The Applicant has provided below further remarks summarizing and elaborating on the distinctions discussed in the telephone interview.

#### **Claim Rejections – 35 U.S.C. §103**

Claims 1-12 were rejected in the Office Action under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 6,116,506 to Matsumoto et al. (hereinafter, "Matsumoto") in view of U.S. Patent No. 6,253,193 B1 to Ginter et al. (hereinafter, "Ginter"). The Applicant traverses this rejection. However, the Applicant has amended Claims 1-12 in order to clarify the subject matter being claimed.

Amended Claim 1 of the present application discloses a method for securing transactions using electronic deposits (purses), comprising three aspects:

(1) configuring, in an electronic deposit (purse), a grey lock mark being an attribute parameter of the electronic deposit (purse), which identifies the state of the last transaction of the electronic deposit (purse) as being one of complete and incomplete, the grey lock mark being configured to have one of a clear status when the last transaction was completed and a set (grey) status when the last transaction was incomplete, wherein after setting the grey lock mark, all operations to the electronic deposit (purse) except resetting the grey lock mark being invalidated (see, for example, page 4, lines 14-23 and 31-33; page 5, lines 1-2 of the present application);

(2) setting, while starting a transaction using the electronic deposit (purse), the grey lock mark and recording parameters of the transaction as a locking card source in the electronic deposit (purse); and

(3) validating the recorded locking card source before debiting money from the electronic deposit (purse), and if the recorded parameters are validated, debiting money from the electronic deposit (purse) and resetting the grey lock mark simultaneously.

In contrast, the Matsumoto '506 patent discloses a transaction-oriented electronic accommodation system including an IC card storing electronic monetary information and an identification number, an IC card read/write unit for reading and/or writing information in/from the IC card, a key control unit for controlling locking and unlocking of a door of the article receiving/housing unit, an identification number storing unit for storing identification number of the IC card, an amount-of-money information storing unit for storing amount-of-money information, a collating unit for collating the identification number stored in the identification number storing unit with the identification number read out from the IC card, and a line control unit for transferring the electronic monetary information via transmission line. For utilizing the article receiving/housing unit, the IC card is inserted, whereby the article receiving/housing unit is locked. For taking out articles from the article receiving/housing unit, the IC card is inserted, whereby the article receiving/housing unit is unlocked with the accounting being settled. Cashless transactions can be realized.

As would be recognized by a person of ordinary skill in the art, the “lock” disclosed in the Matsumoto ‘506 patent is different from the “grey lock mark” recited in amended Claim 1 of the present Application. That is, the “lock” disclosed in the Matsumoto ‘506 patent is a physical door lock to lock or unlock a door of the article receiving/housing unit. While the “grey lock mark” in amended Claim 1 of the present application is a specific mark on an IC card, which is an attribute parameter of the electronic deposit (purse) to identify its application state as of the last time the card was used (i.e., identifies the state of the last transaction of the electronic deposit (purse)). Specifically, the grey lock mark is to be configured to have one of a clear status when the last transaction was completed and a set (grey) status when the last transaction was incomplete. Thus, the “lock” disclosed in the Matsumoto ‘506 patent is different from the “grey lock mark” recited in amended Claim 1 of the present Application. In this regard, the “lock” of the Matsumoto ‘506 patent is not an attribute parameter of an electronic deposit (purse), and furthermore is not configured to identify the last transaction of the electronic deposit (purse) as one of complete and incomplete, as well as provide a clear status and a grey status affecting subsequent transactions.

Accordingly, the Applicant respectfully submits that the step of “configuring, in an electronic deposit (purse), a grey lock mark being an attribute parameter of the electronic deposit (purse), which identifies the state of the last transaction of the electronic deposit (purse) as being one of complete and incomplete, the grey lock mark being configured to have one of a clear status when the last transaction was completed and a set (grey) status when the last transaction was incomplete” in amended Claim 1 of the present application is not taught or suggested by the Matsumoto ‘506 patent. The Ginter ‘193 patent also does not teach or suggest such an aspect as claimed in Claim 1 of the present application.

The Ginter ‘193 patent discloses that a portable appliance 2600 of the holder records an “encumbrance,” which may, during a secure communication with a clearinghouse, be recorded and maintained by the clearinghouse and/or some other financial services party until all or a portion of debt responsibilities of the other party were paid or otherwise satisfied.

With regard to the aspects of amended Claim 1 directed to the step of “setting, while starting a transaction using the electronic deposit (purse), the grey lock mark and recording

parameters of the transaction as a locking card source in the electronic deposit (purse)” and “validating the recorded locking card source before debiting money from the electronic deposit (purse), and if the recorded parameters are validated, debiting money from the electronic deposit (purse) and resetting the grey lock mark simultaneously”, the Applicant respectfully submits that the step of “setting, while starting a transaction using the electronic deposit (purse), the grey lock mark and recording parameters of the transaction as a locking card source in the electronic deposit (purse)” is not disclosed by either of the Matsumoto ‘506 and Ginter ‘193 patents. In addition, the Applicant respectfully submits that the step of “validating the recorded locking card source before debiting money from the electronic deposit (purse) and debiting money from the electronic deposit (purse) and resetting the grey lock mark simultaneously” is not disclosed by either of the Matsumoto ‘506 and Ginter ‘193 patents.

As such, the Matsumoto ‘506 and Ginter ‘193 patents, either separately or in combination, do not teach or suggest the combination of elements as now recited in amended Claim 1. Further, such a combination of elements as now claimed in amended Claim 1 would not have been predictable to one of ordinary skill in the art when provided with the disclosures of the Matsumoto ‘506 and Ginter ‘193 patents since, as previously discussed, particular elements are lacking in both the Matsumoto ‘506 and Ginter ‘193 patents. As such, the Applicant thus submits that amended Claim 1, as well as amended Claims 2-12 which depend therefrom, are not obviated by, and are thus patentable over the Matsumoto ‘506 and Ginter ‘193 patents cited in the Office Action. As such, amended Claims 1-12 are believed to be in condition for immediate allowance.

### **Conclusion**

In summary, embodiments of the present invention now claimed in amended Claim 1 is **not** taught or suggested by, and **would not** have been predictable to one of ordinary skill in the art when presented with elements of, the Matsumoto ‘506 and Ginter ‘193 patents, either separately or in combination. Accordingly, in view of these differences between the embodiments of the Applicant’s invention and the Matsumoto ‘506 and Ginter ‘193 patents, it is submitted that the present invention, as defined by the pending claims, is patentable over the

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prior art cited in the Office Action. As such, Claims 1-12 are believed to be in condition for immediate allowance and notice to such effect is respectfully requested at the Examiner's earliest opportunity.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefor (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

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